

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
WHEELING DIVISION

DIANA MEY, on behalf of herself
and a class of others similarly situated,

Plaintiff,

Civil Action No. 5:24-CV-55

v.

WILLIAM PINTAS,
P&M LAW FIRM, LLC,
P&M LAW FIRM (PR), LLC,
RELIANCE LITIGATION LLC, and
JAMES RYDER INTERACTIVE LLC

Defendants.

SUPPLEMENTAL DECLARATION OF DIANA MEY

1. I am making this declaration under penalty of perjury in order to provide additional details in support of my motion for preliminary injunction.

2. At the hearing on my request for a temporary restraining order, I advised the Court that I possessed call records and recordings in support of my claim that I received unsolicited telemarketing calls on behalf of Pintas prior to February 9, 2023, when he claims I provided consent to be contacted. The written records of those calls are attached as an exhibit to this declaration. I will provide audio recordings of these calls at the upcoming hearing on my motion.

3. As stated in my previous declaration, when I first received the all-Spanish emails that I would later learn contained Pintas's complaint, I deleted them, assuming they were trash.

4. The next day, while I was away from my home, a process server appeared at my door with what he described to my husband as a lawsuit from Puerto Rico. Unaware of any connection to Puerto Rico, my husband did not accept service and the process server left with papers in hand.

5. After I spoke with my husband, I retrieved the Spanish emails from my trash folder. Although I could not understand them, I recognized the name “Pintas” and drew a connection to the demand letter I had previously sent.

6. I reached out to Robbie Birnbaum, Pintas’s lawyer, who confirmed that his client had filed a suit.

7. I advised my longtime West Virginia attorney of these developments and, beginning on April 27, 2023, he attempted to reach out to Pintas’s lawyers for information about the complaint. He left several emails for Pintas lawyers over a period of days. After nearly a week, he finally reached a real person—Maria Martinez—in Pintas’s lawyer’s office.

8. Ms. Martinez claimed that she was not allowed to disclose what the lawsuit was about without speaking to her boss first. My attorney asked Ms. Martinez to have someone call him back. No one ever did.

9. On June 12, 2023, I received what appeared to be an all-Spanish email from a court with the phrase “ANOTACION DE REBELDIA.” Using Google translate, I realized this meant “Notice of Default.”

10. I began looking for Puerto Rican attorneys, but with no connections to that territory, I was unable to retain counsel until June 27, 2023.

11. Only after retaining counsel was I able to gain an understanding of everything that had transpired over the previous several months. By then, my counsel informed me, I was not only in default, but had missed the opportunity to remove my case to federal court.

I declare under penalty of perjury under the laws of the United States of America that the following is true and correct.

5/7/2024

Date

Diana Mey

Diana Mey

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SMS/MMS	Date	DID	Contact/Message	Type	Total
MMS	2023-02-08 16:28:49	3042424327	<div>7572630506</div> <div>Greetings,</div> <div>The following text is regarding your legal claim in regards to the events at Camp Lejeune. Therefore, to continue with this process we first need you to complete your contact information personally. Only a lawyer can properly evaluate a claim, and they can help gather medical records and evidence to build a case. To continue please click here. https://lawsuits.legalhelpadvisor.com/cl/</div>	Received	\$0.020000
MMS	2023-02-08 16:09:41	3042424327	<div>7572630071</div> <div>Greetings,</div> <div>The following text is regarding your legal claim in regards to the events at Camp Lejeune. Therefore, to continue with this process we first need you to complete your contact information personally. Only a lawyer can properly evaluate a claim, and they can help gather medical records and evidence to build a case. To continue please click here.</div>	Received	\$0.020000
SMS	2023-02-08 16:09:19	3042424327	<div>7572630071</div> <div>https://lawsuits.legalhelpadvisor.com/cl/</div>	Received	\$0.007500
Total SMS: 1 Total MMS: 2 Deleted: 0 Total Charged: \$0.0475					

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Answered ?	No Answer ?	Busy ?	Failed ?	Call Type ?	Call Billing ?	Account ?	TimeZone ?
<input checked="" type="radio"/> show	<input checked="" type="radio"/> show	<input checked="" type="radio"/> show	<input checked="" type="radio"/> show	Incoming Calls: All (...)	All Calls	All Accounts	GMT - 5 Hours
<input type="radio"/> hide	<input type="radio"/> hide	<input type="radio"/> hide	<input type="radio"/> hide				

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Date	CallerID	Destination	Description	Dur.	Rate	Total	Action
2023-02-10 16:16:16	MILLVILLE PA <5704583885>	3042424327	Inbound DID	00:00	0.0090	0.0000	<input type="button" value="⊗"/>
2023-02-10 16:07:06	6814660420	3042424327	Inbound DID	17:31	0.0090	0.1584	<input type="button" value="⊗"/>
2023-02-10 15:13:00	ABIGAIL JAMES <7572630506>	3042424327	Inbound DID	01:38	0.0090	0.0153	<input type="button" value="⊗"/>
2023-02-10 13:37:25	ABIGAIL JAMES <7572630506>	3042424327	Inbound DID	00:00	0.0090	0.0000	<input type="button" value="⊗"/>
2023-02-10 12:07:54	ABIGAIL JAMES <7572630506>	3042424327	Inbound DID	00:00	0.0090	0.0000	<input type="button" value="⊗"/>
2023-02-10 12:07:18	ABIGAIL JAMES <7572630506>	3042424327	Inbound DID	00:00	0.0090	0.0000	<input type="button" value="⊗"/>
2023-02-10 11:03:23	6812234995	3042424327	Inbound DID	00:20	0.0090	0.0036	<input type="button" value="⊗"/>
2023-02-10 10:51:01	6814660420	3042424327	Inbound DID	09:10	0.0090	0.0828	<input type="button" value="⊗"/>
2023-02-10 10:02:32	ABIGAIL JAMES <7572630506>	3042424327	Inbound DID	00:18	0.0090	0.0027	<input type="button" value="⊗"/>
2023-02-10 10:01:39	ABIGAIL JAMES <7572630506>	3042424327	Inbound DID	00:29	0.0090	0.0045	<input type="button" value="⊗"/>

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2023-02-09 12:53:34	+16814660420 <6814660420>	3042424327	Inbound DID	00:17	0.0090	0.0027	⊗
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[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	⊗
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2023-02-08 15:51:34	KINGS MTN NC <7042594678>	3042424327	Inbound DID	00:33	0.0090	0.0054	⊗
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	⊗
2023-02-08 14:10:42	KINGS MTN NC <7042594678>	3042424327	Inbound DID	00:46	0.0090	0.0072	⊗
2023-02-08 14:02:02	MATEWAN WV <3044262107>	3042424327	Inbound DID	01:56	0.0090	0.0180	⊗
2023-02-08 13:54:01	MILLVILLE PA <5704583885>	3042424327	Inbound DID	02:24	0.0090	0.0216	⊗
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[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	⊗

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